

COUNCIL OF THE CITY OF ABERDEEN, MARYLAND
Resolution No. 13-R-03

Introduced By:

Mayor Michael E. Bennett

Date Introduced:

Public Hearing:

Date Adopted:

Date Effective:

RESOLUTION NO. 13-R-03

**ANNEXATION PLAN
DUMAS, LLC**

RESOLUTION OF THE CITY OF ABERDEEN TO
APPROVE THE ANNEXATION PLAN FOR THE AREA
PROPOSED TO BE ANNEXED AND KNOWN AS THE
DUMAS LLC PROPERTY (the "Annexation Plan")

1 A Resolution of The City of Aberdeen, adopted pursuant to the authority of
2 Article XI-E of the Constitution of Maryland and Section 19 of Article 23A of the
3 Annotated Code of Maryland, 1957, (2005 Replacement Volume), entitled "Corporation,
4 Municipal," subtitle "Home-Rule," sub-heading "Annexation," to adopt an annexation plan
5 for the area proposed to be annexed known as Dumas, LLC property containing 2.274
6 acres, more or less, as described in a deed dated November 1, 2002, and recorded among
7 the Land Records of Harford County, Maryland at Liber CGH No. 4222, Folio 304, and
8 more particularly identified in the following: (1) Petition for Annexation was accepted by
9 the Mayor and City Council of the City of Aberdeen, on or about July 15, 2010 (the
10 "Petition") and subsequently amended on September 21, 2010; and (2) certain of the

exhibits which accompanied the Petition for Annexation, prepared by Wilson Deegan & Associates, Inc. The exhibits are attached hereto and incorporated by reference herein.

WHEREAS, the Petitioner Dumas LLC, hereinafter the “Property”, is requesting that the Property be zoned B-3 Highway Commercial District as provided for in the Chapter 235 of the Code of the City of Aberdeen; and

WHEREAS, pursuant to Section 19(o) of Article 23A of the Annotated Code of Maryland (as amended from time to time), in addition to, but not as a part of the Annexation Resolution, the legislative body of the municipal corporation shall adopt an Annexation Plan for the area proposed to be annexed; and

WHEREAS, the Annexation Plan shall be open to public review and discussion at the public hearing; and

WHEREAS, a copy of the Annexation Plan shall be provided to the Harford County Department of Planning and Zoning and to the Maryland Department of Planning, and any regional and State planning agencies having jurisdictions within the county at least 30 days prior to the holding of the public hearing required by Section 19(o).

Section 1. NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Aberdeen that the Dumas LLC Property Annexation Plan is hereby adopted as follows:

(a) Land Use Pattern. The description of the land use pattern existing and proposed for the area to be annexed, which includes the Harford County Master Plan already in effect for the area, is as follows”

(i) The Property is intended to be developed pursuant to the B-3 Highway Commercial District, Section 235-18 of the Development Code and for the purposes set forth herein.

(ii) The Property's zoning designation as set forth in the Harford County Development Regulations is CI, Commercial Industrial District and its land use designation in the Harford County Master Land Use Plan is High Intensity.

(iii) The existing uses of the properties adjoining U.S. Route 40 are highway commercial in nature as described in both the Harford County and Aberdeen Development Regulations. With the impact of BRAC on the U.S. 40 corridor it is improbable that the current uses of the U.S. 40 properties will change in the future and it is likely that they will be expanded and/or intensified. The purpose of the B-3 Highway Commercial District is to provide for a number of retail and office establishments and commercial services to be used by the traveling public on or near major roads or streets.

(b) School, libraries and recreation. Public schools, libraries, and recreation facilities will not be significantly impacted by the proposed development of the Property due to its commercial nature.

(c) Fire, Police, and Emergency Medical Services. The Property will be served by the City of Aberdeen Police and Fire Departments, respectively.

(d) Water and Sewer Facilities. The existing provision of sewer service for the Property by Harford County Government will continue. It is anticipated that the

property will continue to be served with public water from Harford County Government.

Any on-site connections to the Aberdeen sanitary sewer service will be privately owned and maintained.

(e) Traffic Impact. Because of the existing use of the Property it is not anticipated that the Property will generate any significant increase of traffic to and from U.S. 40 nor effect the level of service. In the future, if and when the site redevelops, a Traffic Impact Study will be required to be submitted to the City of Aberdeen, State Highway Administration, and Harford County Government for review and approvals.

(f) Roads. The Property abuts U.S. 40 and its existing uses will not create an adverse impact on the roadway. No major road improvements to U.S. 40 will be necessary as a result of the annexation.

(g) Trash Service. Trash removal will be contracted privately by the developer and/or owner of the Property.

(h) Fiscal Impact. Once incorporated into the City of Aberdeen, the Annexation Petitioners would be subject to Aberdeen real property taxes. Once developed, property values on the property will increase substantially over the current assessment. The preliminary analysis indicates that the potential annual revenue realized by the City at full build-out for the property is \$4,422.00 (based on assessment of property @ \$650,300 at a tax rate of \$0.68/100). Because the propose uses will be commercial in nature the City does not anticipate any impact which will require extraordinary use of its funds.

Section 2. AND BE IT FURTHER RESOLVED, by the Mayor and City Council of Aberdeen, that this Annexation Plan shall be open to public review and

discussion at a public hearing, but amendments to the Annexation Plan may not be construed in any way as an amendment to the Annexation Resolution, nor may they serve in any manner to cause a re-initiation of the annexation procedure now in process.

Section 3. AND BE IT FURTHER RESOLVED, by the Mayor and City Council of Aberdeen, that a copy of the Annexation Plan shall be provided to Harford County, Maryland, the Harford County Department of Planning and Zoning, and the Maryland Department of Planning at least 30 days prior to the holding of the public hearing required by Section 19 of Article 23(A) of the Maryland Annotated Code.

Section 4. AND BE IT FURTHER RESOLVED, by the Mayor and City Council of Aberdeen, that this Resolution shall become effective on the effective date of the Charter Amendment Resolution annexing said property into the corporate limits of the City of Aberdeen.

COUNCIL OF THE CITY OF ABERDEEN

Michael E. Bennett, Mayor

Ruth E. Elliott, Councilwoman

Bruce E. Garner, Councilman

Sandra J. Landbeck, Councilwoman

Ruth Ann Young, Councilwoman

ATTEST:

SEAL:

Monica A. Correll, City Clerk